

# **ORM NEWS**

**From the Office of the Deputy Assistant  
Secretary for Resolution Management  
Department of Veterans Affairs**



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March 2002

*From the Deputy Assistant Secretary*

## **Customer Service**



Customer service should be the most important attribute of what we do and should be “job number one.” This is the advertising slogan of one of the largest companies in the U.S. Tips on good customer service can be found on page 10.

To deliver good customer service, we must ask, “what can we do to help our customers.” Customer service is about providing the best service that we can. The focus is on the customer, not us. Practicing good customer service techniques will improve our interactions with each other and with everyone we deal with. Remember you are a customer too!

We must continually evaluate how we deliver our services and make changes when necessary. Technical proficiency is not enough if the delivery of our services does not encourage their use.

Great customer service is about exceeding the expectations of our customers and delivering more than they expect. It requires anticipating their needs and providing services that meet those needs. Using good customer service skills enhances our professionalism and shows that we care about our customers.

***“Let’s deliver great customer service!”***

/s/

James S. Jones

## **Highlights of Regulations and Programs**

### **Proposed Settlement Agreements in Resolving Accommodation Claims in Reports of Investigation**

Equal Employment Opportunity Management Directive 110 addresses the subject of including information relative to settlement agreements in EEO files by stating that the file should only contain documentation of the attempts at resolution and not include the substance of such attempts.

An exception to this may be a case involving the accommodation of a disability.

The Office of Employment Discrimination Complaint Adjudication (OEDCA) has issued guidance that states that, in most cases, settlement agreements are not evidence and should not be included in the file. However, in cases of reasonable accommodation, a proposed settlement agreement may be relevant evidence. That is, the agreement may tend to prove or disprove a proposition (the failure to accommodate) that is related to the complaint.

Investigators should determine whether any attempts at accommodating the complainant's disability have been made when investigating a claim of a failure to accommodate. Secure a copy of any such documentation, including the proposed settlement agreement, or obtain an affidavit from a person making a verbal offer(s).

The investigator should make certain they obtain the following information related to a proposed settlement:

- a. Timing of the proposed offer:
  - When was it offered to and received by the complainant?
- b. Terms of the proposed offer:
  - Was management trying to accommodate the complainant?
  - What was offered and why?
- c. Appropriateness of the terms of the offer:
  - Did the terms address the needs of the required accommodation?
  - Did the accommodation meet the needs of the complainant?
- d. Reasons for the rejection:
  - What were the complainant's reasons for rejecting the offer?
  - What were management's reasons for rejecting terms or conditions presented by the complainant?

The 1991 Civil Rights Act provides an exception to the entitlement to compensatory damages for employers who made a good faith effort to accommodate a qualified individual with a disability, but whose efforts fell short of what is required by law. Therefore, the information the investigator gathers is paramount not only for the decision-makers in assessing discrimination, but also in the awarding of compensatory damages.

(Contact Joan Hanson, Chief, Policy and Compliance, concerning this article)

## **EEOC Issues Fiscal 2001 Enforcement Data**

(The following is an excerpt from an Equal Employment Opportunity Commission (EEOC) news release dated February 22, 2002.)

### ***Statistics Show Age Bias and Disability Discrimination Charges on the Rise***

**WASHINGTON** - The U.S. Equal Employment Opportunity Commission (EEOC) announced today that it has released comprehensive enforcement and litigation statistics for Fiscal Year 2001 (October 1, 2000, through September 30, 2001). According to the new data, posted online at [www.eeoc.gov](http://www.eeoc.gov), total discrimination charges filed against private employers increased one percent from the previous year to 80,840 - the highest level since the mid-1990s.

The types of discrimination with the highest rate of increase in FY 2001, compared to the prior year, were allegations of discrimination based on age (one and one-half percent increase) and disability (one-half percent increase). All other types of charge filings either declined slightly (less than one-half percent) or remained level compared to FY 2000. "The incidence rate of age and disability discrimination appears to be on the rise with the graying of America," said EEOC Chair Cari M. Dominguez. "Employers must be vigilant in preventing such characteristics from being factored into their employment decisions."

In addition to the rise in workplace bias filings, the FY 2001 data also show:

- The private sector pending inventory of charges (backlog) decreased by five percent from the previous year to 32,481 - the lowest level in nearly two decades.
- The average charge processing time for private sector charge filings stood at 182 days - a 34-day decline from FY 2000 and the lowest level since the early 1980s.
- The average time to resolve a charge through voluntary mediation was 84 days - a drop of 12 days from the prior year.
- The merit factor rate (charges with meritorious allegations and/or outcomes favorable to the charging party) increased to 22 percent - the highest level since the early 1980s.

Of the 80,840 total charges filed with EEOC, the most frequent types of discrimination alleged were based on:

- Race - 28,912 or 35.8 percent of all charge filings.
- Sex/Gender - 25,140 or 31.1 percent of all filings.
- Retaliation (all statutes) - 22,257 or 27.5 percent of all filings.
- Age - 17,405 or 21.5 percent of all filings.
- Disability - 16,470 or 20.4 percent of all filings.

Other types of charge filings included allegations based on:

- National Origin - 8,025 or 9.9 percent of all filings.
- Religion - 2,127 or 2.6 percent of all filings.
- Equal Pay - 1,251 or 1.5 percent of all filings.

Further information about EEOC is available on its Web site at [www.eeoc.gov](http://www.eeoc.gov).

## **CASE LAW**



### **EFFEMINATE' POSTAL WORKER CAN PROCEED WITH TITLE VII GENDER LAWSUIT**

**Stereotyping about sexual roles opens up an employer to liability under Title VII's prohibition of discrimination because of sex, following a recent Federal District Court decision.**

**The plaintiff, a letter carrier with the U.S. Postal Service, alleged in his Title VII sex discrimination complaint that over a seven-year period, co-workers continuously tormented him by making comments and leaving photographs and cartoons which may be characterized as mocking his masculinity, portraying him as effeminate, and implying that he was a homosexual. He showed that he was also subjected to more severe discipline than others for minor conduct and attendance infractions. When he complained about this oppressive conduct to his supervisors, they responded by suspending and firing him because of his complaints.**

**The employer moved for summary judgment because Title VII does not prohibit discrimination based on sexual orientation. The Massachusetts U.S. District Court denied the motion and ruled that the lawsuit could proceed, applying the general rule that, while Title VII does not bar discrimination based on sexual orientation, an employer will open itself up to liability under Title VII by acting upon stereotypes about sexual roles in making employment decisions, or by allowing the use of these stereotypes in the creation of a hostile or abusive work environment. In this case, evidence showed that co-workers and supervisors discriminated against him because they perceived him to be impermissibly feminine for a man, thus failing to meet their gender stereotypes of what a man should look or act like.**

**[Centola v. Potter, 99-12662-NG, U.S. District Court for the District of Massachusetts, January 29, 2002 (decided), 2002 U.S. Dist. LEXIS 1504]**

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## What's Happening in the Field?



### Little Rock Field Office:

**Patricia Draucker**, EEO Investigator, was selected as an EEO Specialist C-2 at the Bay Pines Field Office. Patty's last day in Little Rock was February 15, 2002.

A poem by, Kerriagan Johnson, the son of **Pamela Johnson**, EEO Specialist C-1, was accepted for publication in the 2002 Anthology of Poetry by Young Americans. Kerrigan is a six-grade student.

**Charlotte Barr**, EEO Specialist (Counselor) was presented with her 15-year pin for government service.

The Little Rock Field Office started the New Year with a new dimension. The office plans to enhance productivity by enhancing the quality of life for its employees through a wellness program. The program will initially consist of wellness classes and a walking club. There are plans to include aerobics classes and health club memberships. The program's kick off day was January 9, 2002, with a Medical Center Clinical Dietician training interested employees on how to achieve healthy living by making wise choices and how nutrition affects overall wellness. Employees will also receive training on how to begin an exercise program. Future training will include stress management, blood pressure screenings, glucose and cholesterol testing, and a comprehensive health assessment for each employee. **Anselm Beach**, EEO Investigator, is the Coordinator for this program.

### Bay Pines Field Office

Ms. **Rosalind Smith**, EEO Investigator, Bay Pines ORM Field Office, was selected for an EEO Intake position at Bay Pines. Her promotion is effective February 24, 2002.

### **DAS Staff**

**Alvertis Ramsey-Parrish**, Chief Financial Officer, received a special contribution award from Dr. Jacob Lozada, Assistant Secretary for Human Resources and Administration on Thursday, February 21, 2002. This award is in recognition of her exceptional leadership in budget execution. Her efforts have enhanced the overall mission of the Office of Human Resources and Administration. Dr. Lozada presented the award during his senior staff meeting. He commended her for "going beyond the call of duty". Alvertis executed the FY 01 budgets for all of HR&A as well as carrying out her regular duties in ORM. Dr. Lozada refers to Alvertis as the "A" Team.

**Barbara Scott**, Program Analyst, recently lost her father. Our condolences go out to Barbara and her family.

### **Washington Field Office**

On February 20, 2002, Washington Field Office's very own

**Darryl Ford**, Intake Specialist, received a Letter of Appreciation from Janet Stout, Director, VAMC Fayetteville, NC for his assistance with the EEO Advisory Committee's Black History Month Program held at the medical center on February 20, 2002. He also received a Letter of Appreciation in January, from Ms Stout, for assisting with the Medical Center's Martin Luther King Jr., Commemoration Prayer Breakfast that was held on January 15, 2002.

**Rene'e Bragg**, EEO Counselor, has been at home recovering from surgery since January 31<sup>st</sup>, 2002. We wish her a speedy recovery. Get well cards and greetings can be forwarded to our office.

**Carlton Allen**, EEO Investigator, was recently involved in an automobile mishap. He is recuperating at home. We are hoping for his speedy recovery from his injuries. Get well cards and greetings can be forwarded to this office.

We all miss **Tamera Burgoyne**, EEO Intake Specialist, since her departure during mid-January. Tammy will be spending more time as a

full time mommy. Tammy was surprised with a fond farewell complete with a party, gifts, and lots of well wishes.

The Washington Field Office Staff completed the "ABZ's of Writing" course on February 21, 2002. As a result, we will strive to produce A-1 quality written products, thanks to the extensive skills of Mr. Michael R. McClory, Director, ABZ Communications, who shared his expertise with the employees.

We will all miss **Neal Lawson**, who was a mentor to the employees of the Washington office, who retired on Friday, February 22, 2002. Mr. Lawson continues to be a true friend and inspiration to all that had the good fortune to work with him. He kept everyone focused and never said no to a request for guidance or information. The Washington Field Office recently completed Mixed Case Training and Breach Training under the auspices of Mr. Lawson.

Thank you Neal. We will miss you and hope you keep in touch!

### Hines Field Office

**Stephanie Williams**, Investigator/Counselor, has been named the "Employee of the Month" at the Hines ORM Field Office.

Ms. Williams was recently promoted to the position of Investigator/Counselor and has resolved her first EEO Investigation. When asked how she was able to resolve the complaint, she replied, "teamwork, preparation, and use of her counseling skills" helped in her resolution efforts. Ms. Williams stated that by working closely with her team leader, Barbara Willis, and by thoroughly reading the case file, she was able to communicate with all parties involved, thereby obtaining a withdrawal in this case. Congratulations Stephanie, Job Well Done.

Congratulations to **Barbara Willis** who was promoted to Intake/Investigator (C2). **Maurice Holman and Stephanie Williams** have been promoted to Counselor/Investigator (C1) positions.

**Davidemir Ruple** was appointed, Administrative Officer, for the Hines Field Office. Keep up the good work!



The Hines Field Office has grown in size. Please help us in welcoming our adopted family, the **Kilgore's**. Ms. R. Kilgore is a single mother of 5 children (ages ranging from 8 years to 6 months) and has three siblings, all of whom were adopted as children. We hope we can live up to the challenge of being big sisters and brothers to the Kilgore family.

### **Leavenworth Field Office**

The Greater Kansas City Chapter of Blacks in Government held its conference on February 8, 2002, in Kansas City, Missouri. **Charlotte Jones**, Field Manager, was a guest speaker. Her speech, that was based on Dr. Martin Luther King's speech "I Have A Dream," focused on federal employees as professionals and the achievements of minorities' in various professions (Education, Sports, Entertainment, Federal Government, Military and Space). **Gregg Buckner** and **Richard Tilden** also attended the conference as participants.

Mr. **James Jones**, DAS for ORM, visited the Leavenworth Field Office on February 22, 2002. He spoke to the staff about his vision and expectations for ORM. He also met with the VISN 15 CEO, Patricia Crosetti, and the Leavenworth VAMC Director, Robert Malone, Jr.

### **ORM Training Committee**

The **ORM Training Committee** held a meeting in Bay Pines, Florida on February 13-14, 2002. **Bill Low**, Regional EEO Officer, Bay Pines, is the Committee Chair. **Lew Hensen**, Director, Learning Resource Center, is the Committee Co-Chair. The Committee serves in an advisory capacity to the Chief Operating Officer and the Director, Learning Resource Center, for training throughout all components of the Office of Resolution Management (ORM) to include new employee orientation. Members of the Committee will also serve as liaisons, principle coordinators and facilitators for all local training related matters within their offices. The Committee is involved in the planning for the National Leadership Conference that will take place later this year.



## Did You Know?



### **Women Sustaining the American Spirit** **National Women's History Month 2002**



***Women Sustaining the American Spirit*** is the new theme for National Women's History Month 2002. The goal of the National Women's History Project is to showcase the diverse and interlocking stories of women who have created and affirmed the American spirit. The new 2002 theme will help deliver the message of who American women are and what they have accomplished.

As recently as the 1970's, women's history was virtually an unknown topic in the K-12 curriculum or in general public consciousness. To address this situation, the Education Task Force of the Sonoma County (California) Commission on the Status of Women initiated a "Women's History Week" celebration for 1978. The week of March 8 was chosen to make International Women's Day the focal point of the observance. In 1987, the National Women's History Project petitioned Congress to expand the national celebration to the entire month of March. Since then, the National Women's History Month Resolution has been approved with bipartisan support in both the House and Senate. Each year, programs and activities in schools, workplaces, and communities have become more extensive as information and program ideas have been developed and shared. For more information on the National Women's History Project go to [www.nwhp.org](http://www.nwhp.org) (National Women's History Project)

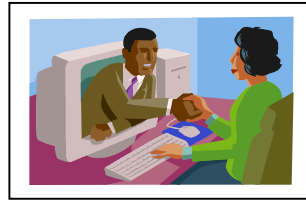
**Islamic New Year:** March 16

**St. Patrick's Day:** March 17

**Passover:** March 27 (Begins at Sundown\*)

**Easter:** Sunday, March 31

# Customer Service Tips



## *What is customer service?*

Customer service is....

- Getting help, getting a problem solved– competently, with no hassle, no runaround and no delay.
- Dealing with people who know their stuff.
- Dealing with people who are authorized to provide information, right a wrong, or make things happen for a customer without passing the buck or begging permission.
- Being treated in the way that the customer wants, which usually means with respect, a quick response and an appreciation for the customer's position.
- Anticipating a customer's needs and wants.
- Ending a transaction or interaction so that the customer feels better than before it began.

## *Customer service is Communication! ...And it's everyone's job.*

Every business interaction has two parts:

- The transaction
- The human relationship

Good customer service:

- Builds the relationship
- Completes the transaction

Little things you do make a BIG difference to customers

- Smile
- Treat customers like house guests
- Offer assistance
- Listen actively
- Maintain a positive attitude
- Under-promise...over-deliver

Qualities of Exceptional Customer Service Employees

- Motivated
- Enthusiastic
- Flexible
- Knowledgeable

## *Practice makes perfect...*

Practice exceptional customer service whenever you get the chance!

For more information on customer service go to the College of William and Mary Web site at <http://www.wm.edu/IT/learning/CustomerService/csforweb/sld001.htm>

(Excerpts from "Customer Service" presented by the College of William and Mary)



## Walking for Fitness

We have all heard the benefits of exercise, and know that we need to do more, but what? The majority of us do not have the physique or the temperament to become a runner; we cannot all outfit our homes like a gym, or go to the gym daily. So what to do? Try walking. Walking is the easiest exercise program there is you do not even need any equipment. Of course, before you start any exercise program you should speak with your family physician. Once you get the go ahead, start walking!

One of the best things about walking is that you do not need any special equipment, that includes shoes. While you will eventually want to purchase a pair of walking shoes or cross trainers, start with a pair of comfortable shoes. Depending on your previous fitness level, you may start out walking ten minutes to a half-hour. Just start by walking as far as you can at a comfortable speed. Increase the distance a little each week. After you have been walking for a few weeks you probably will not be content to just stroll along, add speed. You will be able to walk farther in a shorter amount of time by picking up the pace a little. This allows you to increase your aerobic strength at the same time. There is no need to run, or even jog. Just bend your elbows a little, swing your arms gently along your sides, and increase your speed. You should still be able to comfortably maintain a conversation while doing this. Once you have worked on adding speed, you can begin working on intervals. Warm up with a five-minute stroll. Now walk at a brisk clip for three minutes, slow down to a moderate pace for one minute, and then increase your speed again for another three minutes. Repeat this until your workout is over. Cool down by walking another five minutes. The time will pass before you realize it, and you will be getting a great workout. Once you are comfortable walking for a half hour three or four times a week, you can begin adding even more variety. Find a particularly hilly path to walk, or go on a hike. You are only limited by your imagination and level of fitness.

**Reminders:** Click on ORM's Web site at <http://www.va.gov/orm> for the latest information on ORM programs, policies, and employee information.

ORM NEWS is a monthly publication of the Office of Resolution Management. Please E-mail Terry Washington, External Affairs Program Analyst or Tyrone Eddins, External Affairs Program Manager, to submit your recommendations, suggestions, or comments on information presented in this newsletter. We can be reached at (202) 501-2800. Back copies of the newsletter can be found on ORM's Web site at <http://www.va.gov/orm/NewsEvents.htm>.

Articles in this month's edition include:  
Message from the DAS, Customer Service – page 1  
Proposed Settlement Agreements in Resolving Accommodation Claims in Reports of Investigation – page 2  
EEOC Issues Fiscal 2001 Enforcement Data – page 3